

we determine that the information provided is not sufficient to complete the review and approval process. If you fail to provide the requested information, BOEM may disapprove your COP.

(f) Upon completion of our technical and environmental reviews and other reviews required by Federal law (e.g., CZMA), BOEM may approve, disapprove, or approve with modifications your COP.

(1) If we approve your COP, we will specify terms and conditions to be incorporated into your COP. You must certify compliance with certain of those terms and conditions, as required under § 585.633(b); and

(2) If we disapprove your COP, we will inform you of the reasons and allow you an opportunity to resubmit a revised plan addressing the concerns identified, and may suspend the term of your lease, as appropriate, to allow this to occur.

(g) If BOEM approves your project easement, BOEM will issue an addendum to your lease specifying the terms of the project easement. A project easement may include off-lease areas that:

(1) Contain the sites on which cable, pipeline, or associated facilities are located;

(2) Do not exceed 200 feet (61 meters) in width, unless safety and environmental factors during construction and maintenance of the associated cables or pipelines require a greater width; and

(3) For associated facilities, are limited to the area reasonably necessary for power or pumping stations or other accessory facilities.

[76 FR 64623, Oct. 18, 2011, as amended at 79 FR 21625, Apr. 17, 2014]

**§ 585.629 May I develop my lease in phases?**

In your COP, you may request development of your commercial lease in phases. In support of your request, you must provide details as to what portions of the lease will be initially developed for commercial operations and what portions of the lease will be reserved for subsequent phased development.

**§ 585.630 [Reserved]**

**ACTIVITIES UNDER AN APPROVED COP**

**§ 585.631 When must I initiate activities under an approved COP?**

After your COP is approved, you must commence construction by the date given in the construction schedule required by § 585.626(b)(21), and included as a part of your approved COP, unless BOEM approves a deviation from your schedule.

**§ 585.632 What documents must I submit before I may construct and install facilities under my approved COP?**

(a) You must submit to BOEM the documents listed in the following table:

Document:	Requirements are found in:
(1) Facility Design Report .....	§ 585.701
(2) Fabrication and Installation Report ....	§ 585.702

(b) You must submit your Safety Management System, as required by § 585.810 of this part.

(c) These activities must fall within the scope of your approved COP. If they do not fall within the scope of your approved COP, you will be required to submit a revision to your COP, under § 585.634, for BOEM approval before commencing the activity.

**§ 585.633 How do I comply with my COP?**

(a) Based on BOEM's environmental and technical reviews, we will specify terms and conditions to be incorporated into your COP.

(b) You must submit a certification of compliance annually (or other frequency as determined by BOEM) with certain terms and conditions of your COP that BOEM identifies. Together with your certification, you must submit:

(1) Summary reports that show compliance with the terms and conditions which require certification; and

(2) A statement identifying and describing any mitigation measures and monitoring methods, and their effectiveness. If you identified measures that were not effective, then you must

make recommendations for new mitigation measures or monitoring methods.

(c) As provided at § 585.105(i), BOEM may require you to submit any supporting data and information.

**§ 585.634 What activities require a revision to my COP, and when will BOEM approve the revision?**

(a) You must notify BOEM in writing before conducting any activities not described in your approved COP, describing in detail the type of activities you propose to conduct. We will determine whether the activities you propose are authorized by your existing COP or require a revision to your COP. We may request additional information from you, if necessary, to make this determination.

(b) BOEM will periodically review the activities conducted under an approved COP. The frequency and extent of the review will be based on the significance of any changes in available information, and on onshore or offshore conditions affecting, or affected by, the activities conducted under your COP. If the review indicates that the COP should be revised to meet the requirement of this part, we will require you to submit the needed revisions.

(c) Activities for which a proposed revision to your COP will likely be necessary include:

- (1) Activities not described in your approved COP;
- (2) Modifications to the size or type of facility or equipment you will use;
- (3) Change in the surface location of a facility or structure;
- (4) Addition of a facility or structure not described in your approved COP;
- (5) Change in the location of your onshore support base from one State to another or to a new base requiring expansion;
- (6) Changes in the location of bottom disturbances (anchors, chains, *etc.*) by 500 feet (152 meters) or greater from the approved locations (e.g., if a specific anchor pattern was approved as a mitigation measure to avoid contact with bottom features, any change in the proposed bottom disturbances would likely trigger the need for a revision);
- (7) Structural failure of one or more facilities; or

(8) Change in any other activity specified by BOEM.

(d) We may begin the appropriate NEPA analysis and relevant consultations when we determine that a proposed revision could:

- (1) Result in a significant change in the impacts previously identified and evaluated;
- (2) Require any additional Federal authorizations; or
- (3) Involve activities not previously identified and evaluated.

(e) When you propose a revision, we may approve the revision if we determine that the revision is:

- (1) Designed not to cause undue harm or damage to natural resources; life (including human and wildlife); property; the marine, coastal, or human environment; or sites, structures, or objects of historical or archaeological significance; and
- (2) Otherwise consistent with the provisions of subsection 8(p) of the OCS Lands Act.

**§ 585.635 What must I do if I cease activities approved in my COP before the end of my commercial lease?**

You must notify the BOEM, within 5 business days, any time you cease commercial operations, without an approved suspension, under your approved COP. If you cease commercial operations for an indefinite period which extends longer than 6 months, we may cancel your lease under § 585.437 and, you must initiate the decommissioning process as set forth in subpart I of this part.

**§ 585.636 What notices must I provide BOEM following approval of my COP?**

You must notify BOEM in writing of the following events, within the time periods provided:

- (a) No later than 30 days after commencing activities associated with the placement of facilities on the lease area under a Fabrication and Installation Report.
- (b) No later than 30 days after completion of construction and installation activities under a Fabrication and Installation Report.
- (c) At least 7 days before commencing commercial operations.